

Express Mail No. ER 366217995 US

JC04 Rec'd PCT/PTO 27 SEP 2005

(PCT/US/05 Rev. 12-2004)

Approved for use through 5/31/2007 OMB 0651-0021

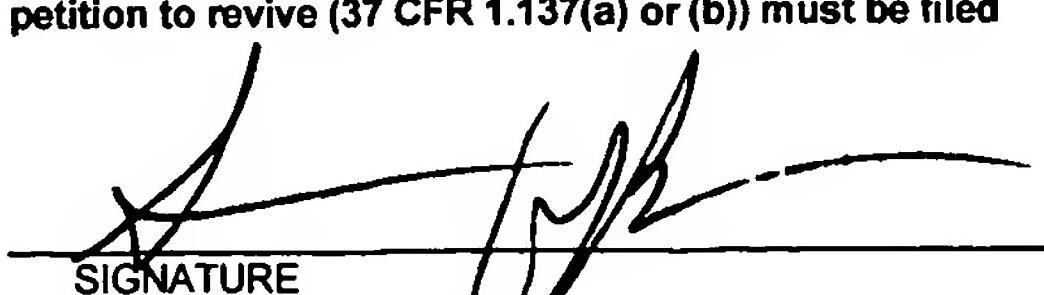
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER K21722USWO (C038435/0191317)
INTERNATIONAL APPLICATION NO. PCT/EP2004/003110	INTERNATIONAL FILING DATE 24 March 2004	U.S. APPLICATION NO. If known, see 37 CFR 1.5 107551197
TITLE OF INVENTION POWDEROUS FORMULATIONS OF FAT-SOLUBLE ACTIVE INGREDIENTS		
APPLICANT(S) FOR DO/EO/US Elger FUNDA and Torsten HUBER		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ul style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input checked="" type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). </p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ul style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). </p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ul style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input checked="" type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. </p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>		
<p>Items 11 to 20 below concern document(s) or information included:</p> <p>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A preliminary amendment.</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input checked="" type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information: Express Mailing (1 p); Return Postcard</p>		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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U.S. APPLICATION NO. (if known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER	
10/551197		PCT/EP2004/003110		K21722USWO (C038435/0191317)	
21. The following fees are submitted:				Applicant use	Office use only
<input checked="" type="checkbox"/> a) Basic national fee..... \$300.00 <input checked="" type="checkbox"/> b) Examination fee..... \$200.00 <input checked="" type="checkbox"/> c) Search fee..... \$500.00 TOTAL OF ABOVE CALCULATIONS = \$1000.00				\$ 300.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.				\$ 200.00	
				\$ 500.00	
				\$ 1,000.00	
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)		RATE	
7 - 100 = 0	/50 = 0			x \$250.00	\$ 0.00
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS	NUMBER FILED		NUMBER EXTRA	RATE	\$
Total claims	22 - 20 =		2	x \$50.00	\$ 100.00
Independent claims	3 - 3 =		0	x \$200.00	\$ 0.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$360.00	\$ 360.00
				TOTAL OF ABOVE CALCULATIONS =	\$ 1,460.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by $\frac{1}{2}$.				\$	0.00
				SUBTOTAL =	\$ 1,460.00
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	0.00
				TOTAL NATIONAL FEE =	\$ 1,460.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	40.00
				TOTAL FEES ENCLOSED =	\$ 1,500.00
				Amount to be refunded:	\$
				Amount to be charged	\$
a. <input type="checkbox"/>	A check in the amount of \$ _____ to cover the above fees is enclosed.				
b. <input checked="" type="checkbox"/>	Please charge my Deposit Account No. <u>02-4467</u> in the amount of \$ <u>1,500.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.				
c. <input checked="" type="checkbox"/>	The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>02-4467</u> . A duplicate copy of this sheet is enclosed.				
d. <input type="checkbox"/>	Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.				
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.					
SEND ALL CORRESPONDENCE TO:					
Stephen M. Haracz, Esq. BRYAN CAVE LLP 1290 Avenue of the Americas New York, New York 10104 Phone: (212) 541-2000 Fax: (212) 541-4630					
 SIGNATURE Stephen J. Brown NAME 43,519 REGISTRATION NUMBER					

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE ACTING AS
DESIGNATED/ELECTED OFFICE (DO/EO/US) UNDER THE PATENT COOPERATION
TREATY CONCERNING A FILING UNDER 35 U.S.C. § 371

In re Application of:)
Elger FUNDA and Torsten HUBER)
Based on Int'l Application No.: PCT/EP2004/003110) Examiner: Not yet assigned
International Filing Date: 24 March 2004) Art Unit: Not yet assigned
Filed: Herewith)
For: **POWDEROUS FORMULATIONS OF FAT-SOLUBLE ACTIVE INGREDIENTS**)

New York, NY
September 27, 2005

CERTIFICATE OF EXPRESS MAILING

"Express Mail" Mailing Label No.: **ER 366217995 US**

Date of Deposit: September 27, 2005

I hereby certify that the following:

- [x] Certificate of Express Mailing (1 page)
- [x] Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning A Filing Under 35 U.S.C. § 371 (2 pp) in duplicate
- [x] Combined Declaration For Patent And Power Of Attorney (2 pp) (executed)
- [x] Information Disclosure Statement with PTO-1449 (5 pp, including duplicate page 3), International Search Report, Preliminary Report on Patentability, and copies of documents
- [x] Recordation Form Cover Sheet and copy of Assignment (2 pp)
- [x] Preliminary Amendment (8 pp, including duplicate page 1)
- [x] Designation Of Registered Practitioners Pursuant To 37 CFR § 1.32(c)(3) (2 pp)
- [x] Return postcard

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the Date of Deposit indicated above in an envelope addressed to Mail Stop PCT, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Marvin Chisholm
Signature of Person Making Deposit

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